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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/903,394	07/11/2001	Ramaswamy Murari	DEL-023	9467

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EXAMINER

WATKINS III, WILLIAM P

ART UNIT PAPER NUMBER

1772

DATE MAILED: 11/25/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

CLO 9

Advisory Action

Application No.

09/903,394

Applicant(s)

MURARI ET AL.

Examiner

William P. Watkins III

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1772

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 31 October 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☒ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: see attachment.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☒ Newly proposed or amended claim(s) 2-5, 8, 20 and 21 would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: see attachment.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: 9-15 and 22.

Claim(s) objected to: _____.

Claim(s) rejected: 1-8, 16-21 and 23.

Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____

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Attachment to Advisory Action:

1. In claim 1, as presented in the amendment filed 31 October 2003, the phrase "wherein the conductive inlay film the conductive film is" in line 10 of the claim is unclear in meaning and thus raises a new 112 issue, which requires further consideration. Entry of the amendment is denied for this reason.
2. Regarding the 102 and 103 rejections using Zohni alone, applicant argues that there is no teaching in Zohni that relates a flexible dielectric layer to a specific embodiment taught in the figures of the reference. The examiner has cited Figure 2A of the reference in the office action. The written description of Figure 2A in the reference at column 5, lines 17-21 refers to element 112 being a "flexible dielectric layer". Applicant's argument is therefore not persuasive.
3. Regarding the 103 rejection using Chrai et al. applicant argues that the relatively flexible chuck of Chrai et al. made of a film dielectric .254 mm in thickness is not the same as the instantly claimed flexible film. The examiner simply does not

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see the difference in a chuck that is flexible because it is made of a thin film and a thin film that is flexible.

4. Regarding the amended form of claim 2 that is presented in the amendment filed 31 October 2003, the examiner constructs "A flexible conductive inlay film" in the preamble of the film such that it is given weight, as it modifies the structure recited in the body of the claim.

5. The period of response to the final office action remains running from the 29 July 2003 mailing date of that action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William P. Watkins III whose telephone number is 703-308-2420 (changes to 571-272-1503 as of Jan. 04). The examiner works an increased flex time schedule, but can normally be reached Monday through Friday, 11:30 A.M. through 8:00 P.M. Eastern Time. The examiner returns all calls within one business day unless an extended absence is noted on his voice mail greeting.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Pyon can be reached on 703-308-4251. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0651.

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November 20, 2003

A handwritten signature in cursive script, reading "William P. Watkins III". The signature is written in dark ink and includes a stylized flourish at the end.

**WILLIAM P. WATKINS III
PRIMARY EXAMINER**